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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,140	09/17/2003	Douglas W. Johnson	10384US01	3485

7590 04/20/2005

Attention: Eric D. Levinson
Imation Corp.
Legal Affairs
P.O. Box 64898
St. Paul, MN 55164-0898

EXAMINER

SLAVITT, MITCHELL R

ART UNIT PAPER NUMBER

2651

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,140

Applicant(s)

JOHNSON ET AL.

Examiner

Mitchell R Slavitt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-25 is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 13-17, 20, 21 and 26-28 is/are rejected.
- 7) ☒ Claim(s) 8-10, 12, 18, 19 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/17/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 11, 13-17, 20-21, and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Wong et al. (Wong).

Regarding claims 1, 15, and 26, Wong teaches at col 4, lines 58-67 data blocks and servo marks such as identification mark 70, wrap mark 72, and gap mark 74 are stored on tracks 66. Wong further states at col 2, lines 52-64 the tape drive includes a first read/write head for reading/writing a first gap mark. Also stated in the paragraph, the tape drive includes a second read/write head for reading/writing a second gap mark.

Regarding claims 2-3, and 20, col 1, lines 6-9 describe the invention for reading and writing data on both sides of a two sided magnetic tape. This implies the magnetic coating on both sides prior to writing first and second servo information.

Regarding claims 4 and 7, col 1, lines 64-67 and col 2, lines 15-18 teach writing the servo information simultaneously on each side of the tape.

Regarding claim 5, col 3, lines 2-4 describe a supply reel and col 4, lines 8-10 describe a take-up reel and tape guides.

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Regarding claim 6, col 2, lines 15-18 teach writing the servo information on the first side with a first head and writing the servo information on the second side with a second head.

Regarding claims 11, 16-17, and 28, col 6, lines 52-63 indicate the need for each side to have gap position synchronization to insure both sides are symmetrical. In effect, each side is the mirror image of the other.

Regarding claim 13, the use of writing to and reading from a magnetic tape implies creating binary data by changing an existing magnetic field on the tape or sensing binary data from a magnetic field on the tape.

Regarding claim 14, the creation or deletion of binary data can be made by changing the existing magnetic field in the same manner that write heads are routinely applied and is well known in the art.

Regarding claim 21, Fig 1A describes a data storage cartridge.

Regarding claim 27, col 3, lines 2-4 describe a supply reel and col 4, lines 8-10 describe a take-up reel and tape guides.

Allowable Subject Matter

3. Claims 22-25 are allowed as the prior art does not teach or suggest the applicant's invention. Independent claim 22 teaches a data storage tape. The distinguishing element of the claim is a flux conductor positioned in proximity to the second side opposite the servo write head to affect the magnetic field to write second servo information on the second side.

Claims 8-10, 12, 18-19, and 29 are objected to as being dependent upon a

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rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitchell R Slavitt whose telephone number is (571) 272-7562. The examiner can normally be reached on M-F (6:30-4:00), 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

MS *MS*
4/14/05